

## **REGULAR SESSION    RUSH COUNTY BOARD OF COMMISSIONERS    JULY 30, 2012**

The Rush County Board of Commissioners met in regular session, Monday, July 30, 2012 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order. Marvin Cole made the motion to approve the minutes of the July 16, 2012 meeting as presented. Ken Masters seconded the motion. Motion carried.

### **E.C.D.C.**

E.C.D.C. Director Jim Finan introduced Carolyn Bunzendahl who has been added to assist in the office and the director.

### **SOLID WASTE**

Solid Waste Director Carole Yeend reported that a board meeting is scheduled later at 4:00 Monday.

### **SURVEYOR**

Surveyor Marvin Rees reported that the lease agreement on his office copier will expire soon. Rees has researched that a savings of approximately \$250.00 yearly can be achieved if charged per copy. Rees noted that the Lease to purchase agreement would be with Van Ausdall & Farrar Inc. Ken Masters made the motion to approve the agreement. Marvin Cole seconded the motion. Motion carried.

Rees reported that the Drainage Board will hold a hearing later Monday evening at 6:00 pm concerning the Fraley – Wilker Drain.

### **COUNTY EXTENSION**

County Extension Youth Educator Kristi Amos shared that one of the City of Rushville promotional large concrete lions was donated to the Rush County 4-H. The concrete lion currently resides near the Root Building on the 4-H fair grounds. It is the desire of the 4-H'ers to have the painted lion placed on the West side of the courthouse visible to Main Street. Marvin Cole made the motion for the commissioners to take custody of the concrete lion. Amos is to provide the pacific location for approval and Purdue 4-H is to maintain the location of the lion. Ken Masters seconded the motion. Motion carried.

### **COURTHOUSE**

Superior Court Judge Brian Hill discussed the lack of ventilation within the Superior Courtroom. Judge Hill explained that the heat is extreme in the courtroom.

Tom Barnes explained that after talking to Turnkey it was discovered that the courtroom was not designed in the plans for airflow on the third floor. The quick fix would be to purchase a window unit air conditioner. The commissioners will then look further into a permanent fix. Marvin Cole made the motion to do a quick fix and to install a window unit air conditioner. Ken Masters seconded the motion. Motion carried.

Judge Hill stated this was OK, as long as it was a temporary fix and was fix by next summer.

### **EMA**

EMA Director Chuck Kemker reported that it has now been thirty (30) days following the issuing of the Burn Ban. Kemker reported that he has looked at the weather forecast and he recommended that the commissioners to extend the burn ban another thirty (30) days. Marvin Cole made the motion to sign Ordinance 2012- 10 extending the Burn Ban another thirty (30) days. Ken Masters seconded the motion. Motion carried.

## **ORDINANCE 2012- 10**

### **AN ORDINANCE EXTENDING ORDINANCE 2012-9**

WHEREAS, on June 25, 2012, the Rush County Board of Commissioners adopted An Ordinance Prohibiting the Open Burning of Any Materials within Rush County, Indiana; and

WHEREAS, there has not been a sufficient amount of precipitation to discontinue the Ordinance; and

WHEREAS, according to information released on July 24, 2012, by the National Oceanic and Atmospheric Administration, Rush County, Indiana, is in an area classified as in a "Severe Drought"; and

WHEREAS, the need for said Ordinance still exists.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rush County, Indiana, that Ordinance 2012-9 shall remain in effect. The Board of Commissioners shall reevaluate the need for this Ordinance every thirty (30) days, after consultation with the President of the Fire Chiefs' Association, the Coordinator of the County Department of Homeland Security, and the Rush County Sheriff.

Adopted this 30<sup>th</sup> day of July, 2012.

**RUSH COUNTY  
BOARD OF COMMISSIONERS**

/s/ Thomas H. Barnes  
Thomas H. Barnes

/s/ Marvin L. Cole  
Marvin L. Cole

/s/ Ken Masters  
Ken Masters

ATTEST:

/s/ Deborah C. Adams  
Deborah C. Adams, Auditor

### **SHERIFF**

Sheriff Jeff Sherwood reported forty-six (46) inmates incarcerated in the Rush County jail. Sherwood also noted that the jail is filled to capacity.

Ken Masters made the motion to approve the “*Interlocal Agreement between the City of Rushville, and Rush County, Regarding Animal Control*”. Marvin Cole seconded the motion. Motion carried.

Ken Masters made the motion to sign over the title of the animal control vehicle, (2006 Ford Ranger truck) to the City of Rushville. Marvin Cole seconded the motion. Motion carried.

### **AREA PLAN**

Area Plan Director Kate Singleton informed the commissioners that several building inspections are needed in the county and she is not qualified to do new construction inspections. Singleton asked for the authority to hire a part-time building inspector.

Singleton also approached the commissioners on the topic of the county not having an unsafe building ordinance.

Singleton has not discussed with her board the part time building inspector position. The commissioners requested cost and the feelings of her board.

The question was asked as to what the purpose of the building inspector is. The response was that the lending institutions require that certain building standards must be maintained and the inspections assure this is met.

The commissioners informed Singleton that they are in favor of her request but they need more information. Ken Masters made the motion to take the matter under advisement. Marvin Cole seconded the motion. Motion carried.

John Saxon stated that the chicken/small animal ordinance has been tabled. Saxon asked for comments. Marvin Cole stated that the topic was tabled for the time being but it could be brought up again in the future.

Kate Singleton reported that the Area Plan Commission voted to table and did not set a date to discuss the topic again.

The question was asked, now, that the City of Rushville is in charge of Animal Control, Will Mayor Pavey now be in control of chickens and small animals? Tom Barnes responded, No, Animal Control is for stray animals. Leigh Morning explained further that the Interlocal Agreement is for the dog ordinance. Saxon shared his frustration. Tom Barnes encouraged him to continue on and to push and that he understood their frustration. Ken Masters and Marvin Cole both stated they had no comment.

### **COURTHOUSE**

Steve Gardner of Turnkey arrived to discuss the Superior court room. Gardner informed the commissioners that they could install a 28,000 btu window air unit by Thursday, August 2, 2012. The total cost to the county will be \$3,500.00 Ken Masters made the motion for Turnkey to precede with the installation of the air unit. Marvin Cole seconded the motion. Motion carried.

### **HIGHWAY**

Highway Superintendent Jerry Sitton presented a contract for the Phase III Carthage Pike project. Sitton stated that the contract is in the amount of \$2,130,750.00 or less. Ken Masters made the motion to approve the INDOT contract. Marvin Cole seconded the motion. Motion carried.

### **EMPLOYEE HEALTH INSURANCE**

Ken Masters made the motion to delete Amendment Number 6 to the Plan Document and Summary Plan Description for the Rush County Employees. Marvin Cole seconded the motion. Motion carried.

### **CAPITAL IMPROVEMENT PLAN**

Ken Masters made the motion to approve the Amended Ordinance 2012-1 Capital Improvement Plan for Rush County. Marvin Cole seconded the motion. Motion carried. The plan amended \$25,000.00 set aside for "Other County Projects" to address now address the ADA (Americans with Disabilities Act Transition Plan).

## **AMENDED ORDINANCE 2012-1**

### **AN ORDINANCE ADOPTING A CAPITAL IMPROVEMENT PLAN FOR RUSH COUNTY**

#### **I. Purpose of Plan**

The purpose of this Rush County, Indiana, Capital Improvement Plan ("Plan") is to specify the uses of the revenues to be received by Rush County, Indiana ("County") from the economic development income tax ("EDIT") imposed under Ind.Code 6-3.5-7, as amended from time to time (the "Act"). This Plan shall be dated as of January 1, 2012, and encompass a period beginning January 1, 2012, and ending December 31, 2012.

#### **II. Economic Development Projects**

**A. Economic Development Projects.** The County may expend EDIT revenues for the following purposes:

1. To support the operating budget of the Rush County Economic Development Corp.
2. To support the operations of the Rush Memorial Hospital and Rush County Ambulance Service.
3. To support the payment of the Americans with Disabilities Act Transition Plan for Rush County, Indiana.

#### **III. Estimated Costs, Sources of Funds, and Planning, Development and Construction Schedules**

**A. ECONOMIC DEVELOPMENT PROJECTS.** The County may use revenue to pay all or a portion of the Economic Development Projects.

The estimated cost and timing of the Economic Development Projects are as follows:

- |    |  |                             |
|----|--|-----------------------------|
| 1. | Rush County Economic Development Corp. | <b>2012</b><br>\$ 65,000.00 |
| 2. | Ambulance Service                      | <b>2012</b><br>\$235,000.00 |

3. Americans with Disabilities Act Transition Plan	<b>2012</b> \$ 25,000.00
<u>TOTAL</u>	<b>2012</b> \$325,000.00

#### **IV. Expenditure of Certified Distribution**

In 2012, the County will receive a certified distribution of EDIT revenues in the estimated amount of \$598,430.98.

The County anticipates expending a portion of the certified EDIT distributions it receives to pay the costs of the Economic Development Projects in the amount of \$325,000.00 in 2012.

Consequently, the Plan incorporates projects the costs of which exceed fifty-four percent (54%) of the estimated amount of the certified distribution of EDIT revenues that the County anticipates receiving during the period encompassed by this Plan.

Adopted this 30<sup>th</sup> day of July, 2012.

#### **BOARD OF COMMISSIONERS OF RUSH COUNTY**

/s/ Thomas H. Barnes  
Thomas H. Barnes

/s/ Marvin L. Cole  
Marvin L. Cole

/s/ Ken Masters  
Ken Masters

ATTEST: /s/ Deborah C. Adams  
Deborah C. Adams,  
Rush County Auditor

#### **AUDITOR**

Auditor Deborah Adams received approval on payroll for the period ending August 3, 2012 on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

Bi-Weekly claims submitted by July 24, 2012 were approved on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

A \$10,000.00 Surety Bond was approved for Chief Probation Officer Mark Fields on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

The commissioners signed on a motion by Ken Masters the Maximus Consulting Agreement for Homestead property fraud review. Marvin Cole seconded the motion. Motion carried.

Adams reported that the State Board of Accounts will conduct the exit review for the 2011 county audit on Wednesday, August 1, 2012

Adams provided an update on the budget progress.

### **RIDE RUSH**

Ride Rush Director Wanda Henderson received the approval to the INDOT Ride Rush 2<sup>nd</sup> Quarter Report on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

### **MISC.**

- Ken Masters made the motion to approve the Subordination Agreement for Aaron and Stephanie VanNatta of Mays. Marvin Cole seconded the motion. Motion carried. The agreement is with Star Financial.
- The commissioners instructed Adams to notify AIC (Association of Indiana Counties) that they are interested in being a part of the ProLiance Energy and pooling the services offered by Vectren.

Motion to adjourn was received from Ken Masters. Marvin Cole seconded the motion. Motion carried.

/s/Tom Barnes

Tom Barnes, Chairman

/s/Marvin Cole

Marvin Cole

/s/Ken Masters

Ken Masters

ATTEST:

/s/Deborah C. Adams

Deborah C. Adams, Auditor